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SECTION 13

Attorney Docket No. 11022US11 / 200-70.P4.C2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

MARC D. BETTER et al.

Serial No.: 09/610,838

Filed: July 6, 2000

For: FUSION PROTEINS AND
POLYNUCLEOTIDES ENCODING
GELONIN SEQUENCES

Examiner: Not yet assigned

Group Art Unit: 1645

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, under 37 C.F.R. §1.8, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, Attention: BOX MISSING PARTS on October 10, 2000.

Janet M. McNicholas

Janet M. McNicholas, Ph.D.

Reg. No. 32,918

RESPONSE TO NOTICE OF MISSING PARTS

Assistant Commissioner for Patents
Washington, D.C. 20231
Attention: BOX MISSING PARTS

Sir:

This is in response to the Notice To File Missing Parts of Nonprovisional Application (the "Notice") dated September 8, 2000 in the above-identified application. Copy of the notice is enclosed. This response is timely filed within the two-month response period for responding to the Notice to File Missing Parts.

In the Notice, the basic filing fee for a small entity (\$345.00) was identified as missing. Enclosed for filing herewith is an executed Verified Statement Claiming Small Entity Status (37 CFR §§1.9(f) and 1.27(c)) - Small Business Concern. Accordingly, a check in the amount of \$945.00 is enclosed, of which \$345.00 is allocable to the small entity filing fee, \$405.00 for 45

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total claims over 20, \$130.00 for multiple dependent claim surcharge, and \$65.00 is allocable to the late filing fee surcharge for responding to the Notice of Missing Parts.

The Commissioner is hereby authorized to charge any additional fees which may be required to Deposit Account No. 13-0017 in the name of McAndrews, Held & Malloy, Ltd.

Respectfully submitted,

DATED: October 10, 2000

Janet M. McNicholas
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/610,838	07/06/2000	Marc D. Better	11022US11/200-70.P4.C2

Janet M McNicholas PhD
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FORMALITIES LETTER



OC000000005384042

Date Mailed: 09/08/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 345 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$535.
 - \$405 for 45 total claims over 20.
 - \$130 for multiple dependent claim surcharge.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 945.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/16/2000 HND001 00000089 130017 09610838
01 FC:201 355.00 DP
FC:203 405.00 DP
FC:204 135.00 DP
FC:205 50.00 DP
15.00 CH

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